

REMARKS / ARGUMENTS

The support for claims 62-79 has already been specified in the response dated 6/15/06. Support for claims 85-89, 91-106 and 108-117 can be found throughout the specification and claims as originally filed, including at column 12, lines 60-67, column 13, lines 1-56 and column 14, lines 1-11, and related figures 53-64, in addition to other locations not specified herein.

Information Disclosure Statement

The Examiner states that the IDS filed on 07/15/08 fails to comply with 37 CFR, which requires a legible copy of each cited foreign patent document, noting that “[i]t appears that a copy of the German reference DE/19,800,376 is not on file.”

In response, the applicant includes herewith a copy of the German reference DE 19800376. The reference includes an English abstract. In view of M.P.E.P. 609 III.A(3), “Submission of an English language abstract of a reference may fulfill the requirement for a concise explanation,” the applicant requests that the Examiner consider the reference. To further facilitate the Examiner’s task, a rough translation of most of the reference, as obtained using the free online translation tool Yahoo!® Babel Fish, is also provided.

Oath/Declaration

The Examiner states that none of the previously filed oath/declarations has ever specified an error in the patent that is directed to the broadening.

35 U.S.C. 251 provides that “Whenever any patent is, through error without any deceptive intention, deemed wholly or partly inoperative or invalid, by reason of a defective specification or drawing, or by reason of the patentee claiming more or less than he had a right to claim in the patent, the Director shall, on the surrender of such patent and the payment of the fee required by law, reissue the patent for the invention disclosed in the original patent, and in accordance with a new and amended application. for the unexpired part of the term of the original patent.”

M.P.E.P. 1414 II.(B) makes clear that only one error upon which reissue is based need be specified in the oath/declaration, although more than one error may be specified.

In accordance with 35 U.S.C. 251, the applicant declares that in addition to or instead of any errors relied upon for reissue that were specified in the previous oaths/declarations, the applicant believes the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent.

In particular, in the original patent, the only independent claim has the limitation of at least one coupling assembly included in the third support arm. In contrast, the instant claim 75 does not have the limitation of at least one coupling assembly included in the third support arm. Thus, it is not necessary for a system to have a coupling assembly on a third support arm to infringe the would-be reissue patent, but it would be necessary for a system to have at least one coupling assembly on a third support arm to infringe the original patent. This is one error that is being corrected in the instant reissue application.

Another error relied upon under 35 U.S.C. 251 is that the original claims did not specify that the display system is modularly configurable to support two side-by-side display panels, two vertically stacked display panels, three display panels in a pyramid shape, three display panels in an inverted pyramid shape, and two horizontal display panels above two horizontal display panels. The instant claim 66 rectifies this error by stating that the display system is configurable to support display panels in the aforementioned geometries.

Yet another error relied upon under 35 U.S.C. 251 is that the system claimed in the original patent did not include any display panels. In the reissue application, on the other hand, the modular system of claim 113 includes first, second and third display panels.

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

Format of Amendments

The Examiner wrote that the amendment filed on 12/6/07 is not in proper format, stating that "All subject matter to be deleted from the patent should appear in square brackets "[]". All subject matter which is new with respect to the patent must be underlined at all times."

Accordingly, all the claims that are new with respect to the patent, viz., claims 65-67, 75, 76, 85-89, 91-106 and 108-117, have been underlined.


37 C.F.R. § 1.173 (b)(2) provides that "Each changed patent claim and each added claim must include markings pursuant to paragraph (d) of this section, *except that a patent claim or added claim should be canceled by a statement canceling the claim without presentation of the text of the claim.*" (emphasis added)

Accordingly, patent claims 1-4 are canceled by a statement canceling the claims without presentation of the text of the claims in square brackets.

CONCLUSION

In view of the above remarks, applicant requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,


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Applicant and Inventor